

**FISCAL NOTE**  
**SB 2680 - HB 3091**

March 31, 2004

**SUMMARY OF BILL:**

- Establishes requirements for the redesign, sale, contract for sale or resale, lease, and sublet of children's products and prohibits a commercial user from selling or leasing any children's product that is unsafe. A product would be considered unsafe if it does not conform to federal laws and regulations, a federal agency recall exists for any reason, or a federal agency issued a warning that the product constitutes a safety hazard.
- Requires the Department of Human Services to create, maintain, and update a comprehensive list of children's products that are unsafe and make such list available on its web site. The department would notify child care facilities on an ongoing basis of unsafe children's products. Requires a child care facility to certify in writing that it has reviewed each notice issued by the department and that no unsafe products are present in the facility. The department would be authorized to deny, revoke or refuse renewal of a license for any facility not in compliance. A commercial user who willfully and knowingly violates the provisions of this bill would be guilty of a Class C misdemeanor.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$135,600 Recurring**  
**\$4,400 One-Time**

**Increase Local Govt. Expenditures - Not Significant**  
**Increase Local Govt. Revenues - Not Significant**

Estimate assumes:

- A need for additional positions and related expenses in the Department of Human Services to enforce the provisions of the bill. The department will continue to license and discipline child care agencies in the current manner.
- Impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director